

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		07/03/2011	
		N/A / attached		Consultation Expiry Date:		04/02/2011	
Officer				Application Number(s)			
Elizabeth Beaumont				2011/0059/P			
Application Address				Drawing Numbers			
36A Courthope Road London NW3 2LD				Please refer to decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Excavation to create new basement level and creation of front and rear lightwells to ground floor flat (Class C3).							
Recommendation(s):		Grant planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	16	No. of responses	12	No. of objections	12
				No. Electronic	12		
Summary of consultation responses:		<p>Environmental Agency – No comments to make based on the information sent to us.</p> <p><u>Letters of objection received from Cllr Revah and residents at nos. 6, 17, 32, 1st floor flat 34, Ground floor flat 34, 38 (4 letters), 40, 44 Courthope Road and 29 Estelle Road. The issues are as follows:</u></p> <p>Design</p> <ul style="list-style-type: none"> The design and layout of the proposal is inappropriately large size for the dwelling. <i>(Refer to 2-2.4 & 7.2)</i> The external appearance of the building and street will be greatly altered with the addition of a lightwell and will resemble an urban character. <i>(Refer to 2-2.4)</i> <p>Accuracy of information</p> <ul style="list-style-type: none"> There is no basement under this or any other properties within the street. There is a small coal cellar that extends for 3m lengthwise under the hallway and is non-habitable and is 2m in height. The ground will be contaminated by toxic metals from the coal which will have seeped into the ground and this has not been taken into consideration. <i>(Please refer to 7.3)</i> Design and access statement refer to existing parking space and there is allocated parking here. 					

	<p>Hydrology <i>(Refer to 5-5.5)</i></p> <ul style="list-style-type: none"> • Basement extensions are totally unsuitable or the street. It is unsuitable to build a basement on clay. The consultants who undertook the report are under the pay of the application • The terrace of houses were constructed circa 1894 with some structural walls floating to allow for some slight movement of the London Clay on which they were constructed (expanding and contracting as water levels in the subsoil change) without adversely affecting each house as the whole terrace was subjected to the same ground conditions. • Neighbouring property had experience of rising water levels when excavating for underpinning – excavated soil down to 3 meters depth to underpin the front bay at No 38 and within a short while water had entered the excavation. It was thought that we had struck a water main or sewage pipe but this was not the case – it was water rising up through the clay. • A full geotechnical and hydrological subsoil analysis should be carried out. • The plan will involve the removal of large quantities of soil which will alter the balance of soil structure. • The proposed ‘tanking’ places a risk of altering the flow of water which exists in the area. This increases the risk of rising damp. <p>Subsidence <i>(Refer to 5.6-5.7)</i></p> <ul style="list-style-type: none"> • Major concern is that differential subsidence will occur due to the mix of old and modern construction methods. This construction will establish a firm concrete platform for No 36 whereas neighbouring houses will still be subject to London Clay seasonal movement which will result in differential subsidence, cracks and systematic damage to our property over time. • Any large scale water removal from the London Clay will have an adverse shrinkage affect on adjacent properties and so further increasing the risk of differential subsidence and instability to neighbouring properties. • During the mid 90s the bays on the ground and first floors of no. 36 had to be taken out and the whole section reinforced and rebuilt due to subsidence caused by nearby trees. This demonstrates the fragile system upon which the houses were building. All the houses are prone to cracking and fissures due to existing soil and hydrological conditions. • About 20 years ago the property at no. 30 had very sever subsidence. People had to move out while the whole house was underpinned. • The construction statement makes no mention of the history of subsidence in this terrace. The application will open the door to other potentially destabilising basement extensions and set an unfortunate precedent. • Water table level appears to be very near the surface. <p>Amenity <i>(Refer to 7.1)</i></p> <ul style="list-style-type: none"> • Noise and continued disturbance from the construction <p>Other issues</p> <ul style="list-style-type: none"> • A neighbour has health issues and must avoid stress. (Refer to 7.1) • There is an ancient hedge in the front garden which borders No 36 and this hedge has been there probably since the house was built in 1894. (Refer to 7.3). • Higher number of people living in the unit will add to parking pressures. • The owners at No 36 have intend to stay with relatives and friends while the work is in progress but the rest of us will have to stay in our houses while this goes on around us. (Refer to 7.1) • There will be further inconvenience due to the loss of parking spaces by skips and Lorries needed to carry out the work. (Refer to 6.1)
<p>CAAC comments:</p>	<p>Mansfield CAAC – Object for the following reasons;</p> <ul style="list-style-type: none"> • Whilst this is a realistic proposal for a basement with properly sizes retaining structure and insulation the front lightwell is totally unacceptable. The conservation area appraisal clearly requires the front elevation to be unaltered; this scheme has too wide a lightwell with no obscuring element of glazing or grillage. <i>(Refer to 2.1-2.3)</i>

Site Description

The site is located on the east side of Courthope Street in between Savernake Road and Mansfield Road. The site comprises a three store mid-terraced property with three storey rear addition with a flat on the ground floor and maisonette above. The building is not listed but is located within the Mansfield Conservation Area in a predominately residential area. The application relates to the ground floor garden flat.

Relevant History

18/05/2010 – **p.p. granted (2010/1269/P)** for the erection of single storey rear extension and a side infill extension to existing flat (Class C3).

08/10/2010 – **planning application withdrawn (2010/4236/P)** for the creation of front and side lightwells at basement level of a residential dwelling (Class C3).

Other relevant permissions:

28 Shirlock Road - 18/06/2008 – **p.p. granted (2008/1636/P)** for the enlargement of existing basement to including new front and rear lightwells and rear doors.

60 Mansfield Road - 23/12/2008 – **p.p. granted (2008/5403/P)** for excavation of a basement level under the existing building including front and rear lightwells and associated windows to provide additional habitable accommodation to the ground floor flat (Class C3).

8 Estelle Road - 13/09/2010 – **p.p. granted (2009/5314/P)** for additions and alterations to include the erection of a single storey side and rear extension and a second floor rear extension in connection with the change of use from single family dwelling into 6 bedroom HMO at first, second and third floor levels and 2 self contained flats at basement and ground floor levels including the creation of a basement with front and rear lightwells.

Relevant policies

LDF Core Strategy and Development Policies

Core Strategy

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)

CS13 (Tackling climate change)

CS14 (Promoting high quality places and conserving our heritage)

CS15 (Projecting and improving our parks and open spaces and encouraging biodiversity)

Development Policies

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP 27 (Basements and lightwells)

Camden Planning Guidance 2006

Mansfield Conservation Area Statement

Assessment

1. Proposal

1.1 Planning permission is sought for the following;

- Excavation of a single storey basement level under the footprint on the existing building to create additional habitable accommodation for the ground floor flat.
- The proposed basement level would project to a depth of 2.7m below ground level (including foundations), 0.85m lower than the existing cellar.
- Creation of a front lightwell with brick surround (projecting 0.1m) and an iron grille and a rear lightwell in the proposed courtyard between existing building and side extension.

1.2 This application follows the withdrawal of a previous scheme (2010/4236/P) following concerns with the lack of assessment of the impact of the basement on the hydrological impacts of the development. Additional information has been submitted as part of this application to address these issues.

1.3 Planning permission (2010/1269/P) was previously approved (18/05/2010) for the erection of single storey rear extension and a side infill extension to existing flat (Class C3). The permission is extant but

works have not begun on site.

2. Design

- 2.1 There is an existing coal cellar underneath the footprint of the building which would be lowered to create a single storey basement level. The proposed basement would extend underneath the footprint of the main dwelling to a depth of 2.7m. Policy DP27 states that the most appropriate type of basement development would 'not extend beyond the footprint of the original building' and be 'no deeper than one full storey below ground'. The existing floor level of the cellar will be lowered by 0.85m.
- 2.2 The basement level would only be visually expressed at ground floor level by the installation of a front and rear lightwell. The front lightwell would measure 3.4m wide and between 0.8m and 1.4m deep with a brick upstand around the edge projecting 0.1m from the ground level of the front garden. The proposal to insert a timber framed sash bay windows to match those on the upper floors is considered acceptable. The lightwell would cover a small section of the front garden beneath the bay window and would be covered by a grille set down from the top of the brick upstand. The grill would sit flush with the existing garden area within the brick upstand surround and would be partially concealed from the street by the boundary wall. Front gardens along both sides of the street are predominately hard landscaped and surrounded by low boundary walls and hedges.
- 2.3 Planning permission was approved in a neighbouring street (2009/5314/P) for a basement with a small external manifestation in the form of a glazed skylight. Mansfield Conservation Area Statement states that 'the unaltered front gardens make an important contribution to the streetscape and character of the residential area'. The statement specifies that 'the creation of a lightwell fronting the highway could harm the relationship between the building and the street, the appearance of the building and the streetscene'. Especially where they 'consume much or all of the garden area'. In this case the lightwell would only take up 7% of the front garden. In accordance with the CA statement railings which are considered to add visual clutter are not proposed. It is considered that by reason of the use of a grille set flush with the ground and set below a brick upstand the proposal would not detrimentally harm the appearance of the front garden. Due to its size and that the front lightwell would be relatively flush with the existing ground level the lightwell would appear as a discreet intervention in the front garden that would be highly prominent or significantly alter views from along Courthope Road. There are no other examples of lightwells within the street however as 16.7sqm of front garden would be retained and as the grille is set flush with the existing hard landscaped garden it is considered that the visual impact of the addition would be limited. Furthermore the proposal would not add any additional visual clutter to the garden or involve the loss of any soft landscaping. For these reasons it is considered that the proposal in this case would not harm the character and appearance of the host building or the relationship of the building and street.
- 2.4 The rear lightwell will be positioned to the side of the existing closet wing and set behind the proposed single storey side extension (2009/5314/P) and would not be visible from the public realm. The proposed fully glazed window in the lightwell is considered acceptable. It is considered that this element would not harm the character and appearance of the building or the wider conservation area. If the side extension was not built a cover or fence would be required around the edge of the lightwell.

3. Amenity

- 3.1 The proposed extension at basement level would not impact on light, outlook or privacy to neighbouring residential properties.
- 3.2 It is considered that given the small scale of the front lightwell and the position of the window set below ground floor level that the proposal would not result in any lightspill that would harm neighbouring occupiers or residents.

4. Residential standards

- 4.1 The proposed basement will create additional habitable accommodation for the ground floor flat. It is proposed to use the basement level for 2 x double bedrooms. The basement would have a room height of 2.3m in accordance with Camden Planning Guidance 2006. Each bedroom would have a window into each of the two lightwells. The Residential Standard Section in the CPG 2006 states that the glazed area of basement windows should total not less than 10% of the floor area of the room (glazing allowable in this calculation is that which is above the points on the windows from which a line can be drawn upwards at a vertical angle of 30° with the horizontal to pass the top of the obstruction). Given

the small scale of the lightwells the development would fail this test.

4.2 To address this issue a Daylight Assessment was submitted with the application to assess the amount of daylight within the proposed residential property. The assessments that have been calculated include the quantity of daylight in the room (the average daylight factor) and the distribution of daylight throughout the room (the room depth test). Under the BRE guidelines the minimum ADF recommended for bedrooms is 1%. The report concludes that both bedrooms will achieve this minimum level. The room depth calculations conclude that the size of the windows is sufficient for the rooms and the light within the rooms should be fairly well distributed. It is therefore considered that the residential standards of the bedrooms will be sufficient.

4.3 The levels of outlook from the bedrooms in the basement level will be limited due to the scale of the lightwells. On balance it is considered that this is adequate given the standard of the ground floor habitable rooms.

5. **Acceptability of proposed basement**

5.1 During the course of the public consultation, a large number of objections have been raised by neighbouring occupiers and local groups as to the impact the proposed subterranean accommodation may have on the structural stability of neighbouring buildings. In particular concerns have been raised with regard to the possible subsidence, risk of flooding and other damage to neighbouring properties and the wider area in general.

5.2 The applicant submitted a Desktop Assessment with the application to address the impact on the basement on ground water flooding. The local geology of the area is characterised by a stiff London Clay stratum. Trial pits were dug which confirmed the presence of stiff clay subsoil. The application site is close to the Bagshot formation but is not directly on it. On the issue of basement extensions and the potential impact on underground water flows it is considered that a basement in this location could be constructed to satisfy Building Regulation requirements. The majority of properties in Camden are founded on clay, which is impermeable to drainage water flow. Thus where foundations are taken deeper to form basements, there are unlikely to be any adverse drainage effects, as the groundwater would continue to flow in both the shallow depth of soil above the clay and the sewer systems.

5.3 A condition is recommended requiring the submission of details of a drainage plan for the basement to ensure that water does not build up. This should include SUDs (Sustainable Urban Drainage System). The drainage plan could include a layer of gravel below the new basement draining to a soak away or detention pond. The drainage system should be designed to cater for the 1 in 100 storm event plus 20% for climate change and should not discharge directly to the sewer as storm water in this area results in flooding lower down in the drainage network

5.4 The applicants have also submitted a Flood Risk Assessment. The report advises that the Environmental Agency defines the area as having a low probability of flooding. The assessment states that the Strategic Flood Risk Assessment for North London, August 2008 recorded floods in Camden in August 2002 and in 1975. The SFRA shows that in 2002, roads approximately 350m northwest of the site were flooded, with roads 200m south of the site flooded in 1975. However there was no record of any properties in Courthope Road flooding in either flood event.

5.5 It is considered that subject to an appropriate condition, which would provide for a properly designed and constructed drainage system to mitigate any potential negative impact on ground water flow, the proposed development would not on its own cause an increase in the present level of flood risk.

5.6 The information submitted with the application in conjunction with advice from the Councils Building Control Department is considered sufficient at this stage to assist in determining the application. The controls set out in building regulations and procedures contained within the Party Wall Act 1996 are considered to be sufficient to protect the neighbouring buildings and wider surrounding area from the possible implications raised during the public consultation relating to the proposed scheme.

5.7 The applicants have also submitted a Construction Method Statement to demonstrate how the basement could be constructed without causing a detrimental impact on the structural stability of the adjoining properties. The Structural Engineers for the applicant have stated that the history of subsidence indicates that the houses in the area have been constructed onto high-plasticity clay subsoil which is susceptible to seasonal or longer term heave and swelling. The most widely used procedure historically used to remedy subsidence issues in houses is to construct concrete pins in segments

under the existing footings in order to distribute the load more evenly, bring the level of footings below the influence zone of any adjacent trees and to generally widen the footings, thus reducing the bearing pressures. The Engineers have confirmed that the construction of the basement is likely to stabilise the existing footings and reduce the likelihood of any future subsidence. It is stated that this is a very standard procedure, and a number of basements in London have been formed that way. A full construction method statement has been submitted which details the works. Whilst there would need to be some work to the party wall, this would be captured under a party wall agreement. The applicant would be advised about this issue by an informative.

6. Transport

- 6.1 Owing to the domestic scale and kind of development, in addition to the likely method of construction, a Construction Management Plan (CMP) is not considered necessary in order to mitigate any adverse impacts on the highway network or neighbouring occupiers during construction. Any occupation of the highway, such as for hoarding, skips or storage of materials, will require a licence from Highways Management and this, along with the existing on-street waiting and loading controls, should be sufficient to ensure the work is carried out in such a way as to not adversely affecting the safety or operation of the public highway.
- 6.2 The proposal involves the reconfiguration of an existing unit and involves the creation of an addition bedroom. The Council can only seek to designate units as car-free when additional units are created. In this case as the proposal involves the reconfiguration of an existing unit the parking cannot be restricted.

7. Other Issues

- 7.1 Concern has been expressed by residents about the noise and disturbance from construction. The control of noise during construction is dealt with by Environmental Health legislation. An informative has been attached to the permission advising the applicant of the hours within which construction work can be carried out.
- 7.2 The proposed development (basement extension and reconfiguration of the internal layout) will create an additional bedroom and additional accommodation for the existing 2 x bedroom flat and reconfiguration at ground floor level. Concerns have been raised regarding the appropriateness of creating a larger unit. It is considered that the creation of a 3 x bedroom flat with access to a garden would not be out of character with the surrounding area.
- 7.3 Concerns have been raised regarding the potential contamination resulting from the development given the use of the existing cellar as a coal store. The main hazards associated with coal are linked to mining or burning of coal. The only contaminants that there could conceivably be from a coal cellar would be solid in nature (coal dust) and these are unlikely to be present in significant amounts. This coal dust will be easily removed during refurbishment and construction work and is unlikely that any remnants would be sufficient to contaminate or cause health concerns for any neighbouring occupiers or residents.
- 7.4 The neighbouring front garden is surrounded by a hedge. Concerns have been expressed regarding the impact of the development on this hedge. There are no proposals to remove this hedge as part of the development and it is considered unlikely that the proposed development would harm the neighbouring front garden or hedge.

8. Recommendation

- 8.1 Grant planning permission

DISCLAIMER

Decision route to be decided by nominated members on Monday 7th March 2011.

For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>